

17.08.020 – General standards of applicability

A. Authority to Continue

Any nonconforming building, structure, lot, or use which existed lawfully at the time of the adoption of this Title and which remains nonconforming, and any building, structure, lot or use which becomes nonconforming upon the adoption of this Title or any subsequent amendments, may continue subject to the provisions of this Chapter, so long as it remains otherwise lawful.

(Ord. 1960-16 § V (B).)

B. Burden on Property Owner to Establish Legality

In all cases, the burden of establishing the legality of a nonconformity under the provisions of this Title shall be upon the property owner of the nonconforming building, structure, lot or use and not upon the City.

C. Safety Regulations

The existence of a nonconformity does not affect the applicability to a property of any police power regulations enacted to promote public health, safety, comfort, convenience and general welfare including, but not limited to, all building, fire and health codes.

D. Governmental Action

Notwithstanding any provision of this Chapter 17.08 to the contrary, no lawfully existing conforming lot, building, structure and/or use shall be rendered nonconforming, and subject to the provisions of this Chapter, as a result of the exercise of eminent domain by a governmental entity.